IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 22ND NOVEMBER 2006 / 1ST AGRAHAYANA 1928

Crl.MC.No. 3808 of 2006()

AGAINST THE JUDGEMENT/ORDER IN BA.6091/2006
CRIME NO.275/06 OF PARAPPANANGADI POLICE STATION

.....

PETITIONER: ACCUSED NO.2:

M. BALAMURALIKRISHNAN,
S/O. K.KRISHNAN NAIR, KAMAYIL HOUSE,
KADUVA AMSOM, PARAPPANANGADI.

BY ADV. SRI.P.VIJAYA BHANU
SRI.PRASUN.S

RESPONDENTS: COMPLAINANT-STATE:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.PUZHAKKARA MUHAMMED

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 22/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.3808 of 2006

Dated this the 22nd day of November 2006

O R D E R

The petitioner who is the second accused in a crime registered interalia under Section 307 I.P.C and who has been released as per order dated 12/10/2006 subject to conditions by this court prays that the conditions imposed on the petitioner that he should not enter the Sessions Division of Manjeri for a period of three months from 12/10/2006 may now be deleted. Notice was given to the learned Public Prosecutor. The learned Public Prosecutor opposes the application. The learned Public Prosecutor submits that the defacto complainant/victim and the petitioner are co-workers in the same school as teachers. If the conditions were relaxed, the police apprehends that untoward incidents and breach of law and order would result. In these circumstances, the learned Public Prosecutor prays that the condition imposed may not now be relaxed.

2. Having considered all the relevant inputs, I am not persuaded to agree with the conditions deserve to be modified at the present stage. However, I am satisfied that the petitioner can be given opportunity to move this court again at a later stage for modification/relaxation of the conditions, not at any rate, prior to 12/12/2006.

3. This Crl.M.C is dismissed with the above observations.

(R.BASANT, JUDGE)

jsr

R.BASANT, J

C.R.R.P.No.

ORDER

21ST DAY OF JULY 2006